Brown, Brian (TM)

From: Morris, Craig
Sent: Tuesday, January 04, 2011 5:26 PM
To: Brown, Brian (TM)
Subject: FW: Small Business Study

----- Original message -----

Please send your response to the following questions, or any additional comments, to TMFeedback@uspto.gov, with the subject line "Small Business Study." In order to ensure that your feedback may be considered, please submit it no later than January 7, 2011. Although the USPTO would find it most beneficial to receive responses to every item, you may answer all or any portion of the following questions.

1. Please identify whether you are a trademark owner or practitioner, and the general size and nature of your business or trademark practice, including the number of trademark applications and registrations your business has, or your practice handles. Please note that the USPTO will fully consider any comments you submit, even if you choose not to identify yourself in a particular manner.

Trademark owner.
2 trademark applications, for "Little Dogs of Bali" and for "Private Planet".

2. In approximately the last 5 years, please describe any instances of which you have first-hand knowledge where a small business may have been the target of litigation tactics attempting to enforce trademark rights beyond a reasonable interpretation of the scope of the rights granted to the trademark owner.

None in last 5 years.

3. Please describe situations where you have been involved in receiving a cease-and-desist letter. Anecdotal information might include, but is not limited to, a description of whether the letter resulted in the small business ceasing its use of one or more marks, or whether the sender of the cease-and-desist letter withdrew or abandoned its demands against the small business owner.

Around 1980, for my business "Little Dogs of Bali", which manufactured women's sportswear in Bali, Indonesia using traditional Indonesian/Balinese handicrafts such as batik fabric dyeing and cutwork embroidery, we received a cease-and-desist order from Consolidated Foods, Inc. (now Sarah Lee), owner of the trademark "Bali" for Bali Bras.

This led to litigation.

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Antony Tersol
Solex / Applied Solar Energy
(b)(6)